

October 17, 2014

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
October 17, 2014

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD ON SEPTEMBER 19, 2014

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD ON SEPTEMBER 19, 2014?

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	135.....	18
Agriculture	344.....	20
Arts Council	15.....	2
Capitol Development Board.....	48.....	0
Central Management Services.....	1,409.....	115
Children and Family Services	2,656.....	50
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	362.....	70
Commerce Commission	69.....	0
Corrections.....	10,995.....	99
Criminal Justice Authority	53.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	9.....	1
Emergency Management Agency.....	81.....	5
Employment Security.....	1,284.....	30
Environmental Protection Agency.....	804.....	17
Financial & Professional Regulation.....	442.....	49
Gaming Board	159.....	6
Guardianship and Advocacy	105.....	7
Healthcare and Family Services	2,089.....	26
Historic Preservation Agency.....	160.....	16
Human Rights Commission.....	14.....	2
Human Rights Department.....	142.....	9
Human Services	12,060.....	75
Illinois Torture Inquiry Relief Commission	3.....	1
Independent Tax Tribunal	1.....	0
Insurance	239.....	16
Investment Board	4.....	2
Juvenile Justice.....	1,017.....	24
Labor.....	90.....	11
Labor Relations Board Educational.....	11.....	2
Labor Relations Board State.....	18.....	2
Law Enforcement Training & Standards Bd.	17.....	2
Lottery.....	137.....	6
Military Affairs	123.....	3
Natural Resources	1,246.....	30
Pollution Control Board	22.....	2
Prisoner Review Board.....	17.....	0
Property Tax Appeal Board.....	32.....	1
Public Health.....	1,153.....	42
Racing Board.....	2.....	1
Revenue.....	1,733.....	54
State Fire Marshal	130.....	12
State Police.....	1,103.....	7
State Police Merit Board	5.....	2
State Retirement Systems.....	98.....	3
Transportation	2,223.....	0
Veterans' Affairs	1,375.....	9
Workers' Compensation Commission.....	127.....	11
TOTALS	44,372.....	866

B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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C. Illinois Department of Human Services – proposed exemption

Position Number	40070-10-96-444-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Division of Family & Community Services
Functional Title	Associate Director-Office of Adult Services and Basic Supports
Incumbent	Vacant
Supervisor	Assistant Director, Division of Family & Community Services, who reports to the Director, Division of Family & Community Services, who in turn reports to the Secretary
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D. Illinois Department of Natural Resources – proposed exemption

Position Number	37015-12-00-000-20-01
Position Title	Public Service Administrator
Bureau/Division	Office of the Director
Functional Title	Chief Special Assistant
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

C: Associate Director-Office of Adult Services and Basic Supports (Human Services)

D: Chief Special Assistant (Natural Resources)

VI. CLASS SPECIFICATIONS

A. Governing Rule – Section 1.45 Classification Plan

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those that meet the requirements of the Personnel Code and Personnel Rules and conform to the following accepted principles of position classification:

- a) The specifications are descriptive of the work being done or that will be done;
- b) Identifiable differentials are set forth among classes that are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- c) Reasonable career promotional opportunities are provided;
- d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- e) All requirements of the positions are consistent with classes similar in difficulty, complexity and nature of work.

The following class titles were submitted for abolishment and revision by the Director of the Illinois Department of Central Management Services (CMS):

- Police Officer Trainee (abolish)**
Police Officer I (revise)
Police Officer II (revise)
Police Officer III (revise)

CMS Classification Analysis: “An internal review of the classification plan has revealed that modifications to certain classes are necessary due to changes in work roles and agency utilization. In particular, this proposal has been prepared in conjunction with the Illinois State Police to modify the class specifications of the Police Officer series. Analysis of State of Illinois personnel data for the Police Officer I, II, III and Trainee titles has revealed that the Illinois State Police (ISP) is now the sole user agency of these classes. Previously, these positions were utilized by the Department of Central Management Services and the Department of Human Services (DHS). Current incumbents in these positions are only employed by ISP and only perform duties relevant to ISP. The other agencies do not use and have no further plans to use these classes. Features of the class specifications which indicate functions that would have performed while engaged by CMS or DHS are no longer accurate and, as such, the class specifications for these titles were reworked to reflect these modified functions.

The Police Officer series performs law enforcement duties involving crime, fire protection, security, traffic control and preliminary incident investigations. This series is also expected to carry a firearm and exercise police powers to enforce laws. The higher levels of this series are also utilized as lead workers or supervisors of lower level staff.

The qualifications were updated to reflect additional requirements at each level, suited to current requirements of the ISP. A review of the Trainee title indicates that this title has not been utilized sufficiently, and it is recommended that this title be abolished. The language referencing “successful completion of an agency approved training program” referring to the Police Officer Trainee, has been removed from the education and experience section for Police Officer I. References to other state agencies have been removed. Other minor changes to reflect changes in terminology and update language have been made to all class specifications.”

C. Research Economist I (abolish)

At the June 20, 2014 meeting, the Commission approved the creation of the Economist Associate and Research Economist classes effective July 1, 2014. The Commission did not address the abolishment of the Research Economist I class which was requested by the class study at that time.

WILL THE COMMISSION APPROVE THE ABOLISHMENT AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE NOVEMBER 1, 2014?

B. Police Officer Trainee (abolish)

Police Officer I (revise)

Police Officer II (revise)

Police Officer III (revise)

WILL THE COMMISSION APPROVE THE ABOLISHMENT OF THE FOLLOWING CLASS TITLE RETROACTIVE TO JULY 1, 2014?

C. Research Economist I

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VII. CONSIDERATION OF THE SEPTEMBER 22, 2014 RESPONSE OF THE DIRECTOR OF CENTRAL MANAGEMENT SERVICES REGARDING GRIEVANCE COMMITTEE ACTIVITY PURSUANT TO SECTION 303.30 OF THE PERSONNEL RULES

VIII. MOTION TO CLOSE A PORTION OF THE MEETING

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

IX. RECONVENE THE REGULAR OPEN MEETING

X. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	8/31/14	9/30/14	9/30/13
Aging	0	0	1
Agriculture	0	0	3
Children and Family Services	2	0	2
Corrections	1	0	0
Healthcare and Family Services	4	0	2
Historic Preservation Agency	5	1	11
Human Rights Department	1	0	0
Human Services	3	4	0
Juvenile Justice	1	0	0
Natural Resources	26	8	10
Revenue	2	0	3
State Retirement Systems	1	0	0
Totals	46	13	32

XI. INTERLOCUTORY APPEALS

DA-42-14

Employee	Windy M. Reese	Appeal Date	05/05/14
Agency	Human Services	Decision Date	10/03/14
Type	Discharge	ALJ	Andrew Barris
Issue(s)	Motion To Dismiss for default (no show at hearing)	Proposal for Decision	Motion to Dismiss granted subject to approval of Commission; default.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-6-15

Employee	Latoya Jackson	Appeal Date	07/23/14
Agency	Human Services	Decision Date	10/03/14
Type	Discharge	ALJ	Andrew Barris
Issue(s)	Motion To Dismiss for default (failure to respond to Motion to Dismiss)	Proposal for Decision	Motion to Dismiss granted subject to approval of Commission; default.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-9-15

Employee	Orlando Monte	Appeal Date	8/26/14
Agency	Employment Security	Decision Date	9/15/14
Type	Discharge	ALJ	Daniel Stralka
Issue(s)	Motion To Dismiss for default (no show at hearing)	Proposal for Decision	Motion to Dismiss granted subject to approval of Commission; default.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XII. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

DA-2-15

Employee	Shanquwil Jones	Appeal Date	07/14/14
Agency	Human Services	Decision Date	10/03/14
Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

RV-35-14

Employee	Mary L. Ray	Appeal Date	3/31/14
Agency	Central Management Services	Decision Date	9/18/14
Type	Rule Violation	Proposal for Decision	No violation.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

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XIII. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

DA-29-14

Employee	Renee D. Clark	Appeal Date	3/12/14
Agency	Human Services	Decision Date	9/15/14
Appeal Type	Discharge	Proposal for Decision	Dismissed; settled.
ALJ	Daniel Stralka		

DA-8-15

Employee	Eric J. Heyen	Appeal Date	8/15/14
Agency	Revenue	Decision Date	9/10/14
Appeal Type	Discharge	Proposal for Decision	Dismissed; withdrawn.
ALJ	Andrew Barris		

DA-13-15

Employee	Olga M. Jackson	Appeal Date	09/19/14
Agency	Human Services	Decision Date	10/01/14
Appeal Type	Discharge	Proposal for Decision	Dismissed; withdrawn.
ALJ	Daniel Stralka		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSALS FOR DECISION IN THE ABOVE MATTERS?

XIV. MEETING SCHEDULE FOR CALENDAR YEAR 2015

XV. STAFF REPORT

XVI. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held at 11:00 a.m. on Friday, November 21, 2014 at the Commission's Chicago office.

XVII. MOTION TO ADJOURN